©
Government of Kerala
1978

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIII] Trivandrum, Monday, 9th January 1978 / 19th Pousha 1899 [No. 14

GOVERNMENT OF KERALA

Law (Leg. A) Department

NOTIFICATION

No. 21130-Leg. (A) 2/77/Law. *Dated, Trivandrum, 9th January 1978/ 19th Pousha 1899.*

The following Ordinance promulgated by the Governor on the 5th day of January, 1978, is hereby published for general information.

By order of the Governor,
K. Viswanathan Nair,
Additional Law Seretary.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1978.

33/97/MC.

ORDINANCE No. 2 OF 1978

THE KERALA CONTINGENCY FUND (AMENDMENT) ORDINANCE, 1978

Promulgated by the Governor of Kerala in the Twenty-eighth Year of the Republic of India.

AN

ORDINANCE

further to amend the Kerala Contingency Fund Act, 1957.

Preamble.—WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for her to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Contingency Fund (Amendment) Ordinance, 1978.

(2) It shall come into force at once.

2. *Amendment of section* 2.—In sub-section (1) of section 2 of the Kerala Contingency Fund Act, 1957 (6 of 1957), for the words "three hundred lakhs of rupees", the words "five hundred lakhs of rupees" shall be substituted.

JOTHI VENCATACHELLUM,
GOVERNOR.

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIII] Trivandrum, Monday, 9th January 1978 / 19th Pousha 1899 [No. 15

GOVERNMENT OF KERALA

Law (Leg. A) Department

NOTIFICATION

No. 21181-Leg. (A) 2/77/Law. *Dated, Trivandrum, 9th January, 1978/ 19th Pousha, 1899.*

The following Ordinance promulgated by the Governor on the 8th day of January, 1978 is hereby published for general information.

By order of the Governor,

K. Viswanathan Nair,
Additional Law Secretary.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1978.

33/98/MC

ORDINANCE No. 3 OF 1978

THE KERALA ESSENTIAL SERVICES MAINTENANCE ORDINANCE, 1978

Promulgated by the Governor of Kerala in the Twenty-eighth Year of the Republic of India.

AN

ORDINANCE

to provide for the maintenance of certain essential services and the normal life of the community in the State of Kerala.

Preamble.—WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for her to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title, extent and commencement.*—(1) This Ordinance may be called the Kerala Essential Services Maintenance Ordinance, 1978.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force at once.

2. *Definitions.*—In this Ordinance, unless the context otherwise requires,—

(a) "essential service" means—

(i) any service under the Government which the Government may, by notification in the Gazette, declare to be an essential service for the purposes of this Ordinance;

(ii) any other service connected with matters with respect to which the State Legislature has exclusive power to make laws and which the Government, being of opinion that strikes therein would prejudicially affect the maintenance of any public utility service, the public safety or the maintenance of supplies and services necessary for the life of the community or would result in the infliction of grave hardship on the community, may, by notification in the Gazette, declare to be an essential service for the purposes of this Ordinance;

(b) "strike" means the cessation of work by a body of persons employed in any essential service acting in combination or a concerted refusal or a refusal under a common understanding of any number of persons who are or have been so employed to continue to work or to accept employment, and includes—

(i) mass casual leave in pursuance of a common understanding among the persons who avail themselves of such leave or under the direction of any other person or persons;

(ii) refusal to work overtime where such work is necessary for the maintenance of any essential service;

(iii) any other conduct which is likely to result in, or results in, cessation or substantial retardation of work in any essential service.

3. *Power to prohibit strikes in essential services.*—(1) If the Government are satisfied that in the public interest it is necessary or expedient so to do, they may, by general or special order, prohibit strikes in any essential service specified in the order.

(2) An order made under sub-section (1) shall be published in such manner as the Government consider sufficient to bring it to the notice of the persons affected by the order.

(3) An order made under sub-section (1) shall be in force for a period of three months only, but the Government may, by a like order, extend it for any period not exceeding three months, if they are satisfied that in the public interest it is necessary or expedient so to do.

(4) Upon the issue of an order under sub-section (1),—

(a) no person employed in any essential service to which the order relates shall go or remain on strike;

(b) any strike declared or commenced, whether before or after the issue of the order, by persons employed in any such service shall be illegal.

4. *Penalty for illegal strikes.*—Any person who commences a strike which is illegal under this Ordinance, or goes or remains on, or otherwise takes part in, any such strike shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

5. *Penalty for instigation, etc.*—Any person who—

(a) instigates, or incites other persons to take part in, or otherwise acts in furtherance of, a strike which is illegal under this Ordinance; or

(b) knowingly expends or supplies any money in furtherance or support of any such strike,

shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

6. *Offence to be cognizable and non-bailable.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (Central Act 2 of 1974),—

(i) any police officer may arrest without warrant any person who is reasonably suspected of having committed any offence under this Ordinance;

(ii) any offence punishable under this Ordinance shall be non-bailable.

7. *Ordinance to override other laws.*—The provisions of this Ordinance and of any order issued thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

JOTHI VENCATACHELLUM,
GOVERNOR.

Government of Kerala
1977

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIII] Trivandrum, Monday, 9th January 1978 / 19th Pousha 1899 [No. 13

GOVERNMENT OF KERALA

Public Works (D) Department

ERRATUM TO 3 (1) NOTIFICATION

No. 63299/D1/77/PW. *Dated, Trivandrum, 31st December, 1977.*

In the Schedule to the 3 (1)notification under section 3 (1) of the K.L.A. Act (Act 21 of 1962) approved by the Government in the reference No. 55531/D1/77/PW dated 18-11-1977 and published at pages 1 and 2 of Kerala Gazette extraordinary No. 683 dated 23-11-1977 relating to the acquisition of lands for easing curves in N.H. 47 and to reconstruct the weak culvert in Potta Village, Mukundapuram Taluk, Trichur District.

തൃശ്ശൂർ ജില്ലയിൽ മുകുന്ദപുരം താലൂക്കിൽ പോട്ട വില്ലേജിൽ 47–ാം നമ്പർ നാഷണൽ ഹൈവേയിൽ വളവ് തീർത്ത് കൽവർട്ട് പുതുക്കി ബലപ്പെടുത്തി പണിയുന്നതിനാവശ്യമായ ഭൂമി പൊന്നുംവിലയ്ക്കെടുക്കുന്നതിനെ സംബന്ധിച്ച് 1961–ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962–ലെ 21–ാം ആക്റ്റ്) 3(1) എന്ന വകുപ്പു പ്രകാരം ഗവൺമെന്റിന്റെ 23–11–1977–ലെ 55531/ഡി1/77/പി.ഡബ്ല്യൂ. നമ്പർ ഉത്തരവനുസരിച്ച് 1977 നവമ്പർ 23–ാം തീയതി 683–ാം നമ്പർ അസാധാരണ ഗസററിലെ ഒന്നും രണ്ടും പേജുകളിൽ പ്രസിദ്ധപ്പെടുത്തിയ പരസ്യത്തിന്റെ പട്ടികയിൽ

FOR

Sl. No.	*Sy. No.*	*Description*	*Extent in Hectares*
4	210/2 part	Wet	0.0040

READ

Sl. No.	*Sy. No.*	*Description*	*Extent in Hectares*
4	212/2 part	Wet	0.0040

33/94/MC.

Explanatory Note

(This does not form part of the notification. But intend to note the General purport)

On verification of the Gazette in which the 3 (1) notification was published, Sy. No. 212/2 part is seen wrongly published as Sy. No. 210/2 part. This notification is to correct the above defect.

(ഇത് പരസ്യത്തിന്റെ ഭാഗമല്ല. എന്നാൽ അതിന്റെ പൊതു ഉദ്ദേശത്തെ സൂചിപ്പിച്ചുകൊണ്ടുള്ളതാകുന്നു.)

ഇതിന്റെ 3 (1) നോട്ടിഫിക്കേഷൻ പരസ്യപ്പെടുത്തിയ ഗസററ് പരിശോധിച്ചതിൽ സർവ്വേ 212/2 പാർട്ട് എന്നതിനു പകരം 210/2 പാർട്ട് എന്നാണ് പരസ്യപ്പെടുത്തിയിരുന്നത്. ഈ പരസ്യം മേൽപ്പറഞ്ഞ തെററു തിരുത്തുന്നതിനാണ്.

By order of the Governor,

N. R. Augustine,
Joint Secretary to Government.

ERRATUM TO DECLARATION

No. 62942/D1/77/PW. *Dated Trivandrum, 31st December, 1977.*

In the Schedule to the declaration under Section 6 of the Kerala Land Acquisition Act, 1961 (Act 21 of 1962) approved by the Government in the reference No. 50759/D1/77/ PW. dated 14-10-1977 and published at pages 4 and 5 of Kerala Gazette extraordinary No. 603 dated 17-10-1977 relating to the acquisition of lands for widening and strengthening N. H. 47, Trichur-Karukutty reach in Thoravu Village, Mukundapuram Taluk, Trichur District.

തൃശ്ശൂർ ജില്ലയിൽ മുകുന്ദപുരം താലൂക്കിൽ തൊറവ് വില്ലേജിൽ 47–ാം നമ്പർ നാഷണൽ ഹൈവെ തൃശ്ശൂർ–കറുകുററി റോഡ് വീതികൂട്ടി വികസിപ്പിക്കുന്നതിനാവശ്യമായ ഭൂമി പൊന്നുംവിലയ്ക്കെടുക്കുന്നതിനെ സംബന്ധിച്ച് 1961–ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ററ് (1962 ലെ 21–ാം ആക്ററ്) 6–ാം വകുപ്പ്പ്രകാരം ഗവൺമെൻറിന്റെ 17–10–1977–ലെ 50759/ഡി1/77/പി.ഡബ്ല്യു. നമ്പർ ഉത്തരവനുസരിച്ച് 1977 ഒക്ടോബർ 17–ാം തീയതി 603–ാം നമ്പർ അസാധാരണ ഗസററിലെ നാലും അഞ്ചും പേജുകളിൽ പ്രസിദ്ധപ്പെടുത്തിയ പ്രഖ്യാപനത്തിന്റെ പട്ടികയിൽ

FOR

Sl. No.	*Sy. No.*	*Description*	*Extent in Hectares*
1	177/9-12	Dry	0.0040

READ

Sl. No.	*Sy. No.*	*Description*	*Extent in Hectares*
1	177/7-12	Dry	0.0040

Explanatory Note

(This does not form part of the notification. But intend to note the general purport).

On verification of the Gazette in which the D.D. was published , Sy. No. 177/7-12 is seen wrongly published as Sy. No. 177/9-12. This notification is to correct the sub division No. of Sy. 177.

(ഇത് പരസ്യത്തിന്റെ ഭാഗമല്ല. എന്നാൽ അതിന്റെ പൊതു ഉദ്ദേശത്തെ സൂചിപ്പിച്ചുകൊണ്ടുള്ളതാകുന്നു.)

ഇതിന്റെ ഡ്രാഫ്റ്റ് ഡിക്ലറേഷൻ പരസ്യപ്പെടുത്തിയ ഗസറ്റ് പരിശോധിച്ചതിൽ സർവ്വേ നമ്പർ 177/7-12 എന്നതിനു പകരം 177/9-12 എന്നാണ് പരസ്യപ്പെടുത്തിയിരുന്നത്. ഈ പരസ്യം മേൽപ്പറഞ്ഞ തെറ്റു തിരുത്തുന്നതിനാണ്.

By order of the Governor,

N. R. Augustine,
Joint Secretary to Government.

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